REMARKS

This Response, filed in reply to the Office Action dated May 3, 2007, is believed to be fully responsive to each point of objection and rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-11 are all the claims pending in the application.

I. Claims Rejections - 35 U.S.C. § 103

Claims 1-2, 4, 6-9 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Hunzinger *et al.* (US PGPUB 2002/0172192 A1, hereinafter "Hunzinger") in view of Leppisaari *et al.* (WO 01/20924 A1, hereinafter "Leppisaari").

With respect to claim 1, Applicant respectfully submits that the combination of Hunzinger and Leppisaari does not teach or suggest each feature of the claim. For example, neither Hunzinger nor Leppisaari teaches or suggests that in a transfer mode corresponding to the highest bit rates, acknowledgment information is sent in the non-acknowledged mode from a radio link control receiver to a radio link control sender, as recited in claim 1.

The Examiner has correctly conceded that Hunzinger does not teach or suggest the above-recited feature. However, the Examiner cites Leppisaari, and specifically relies upon page 10, line 26 - page 11, line 12 of Leppisaari as allegedly disclosing the above-recited feature. Applicant respectfully disagrees.

Leppisaari relates to a data transmission system. According to Leppisaari, a wireless terminal uses a two-phase access for the allocation of radio resources. Page 10, lines 15-16.

First, the wireless terminal sends a channel request. Page 10, lines 17-19. The network sends the wireless terminal a specific assignment message in response to the channel request. Page 10, lines 20-21. After receiving the assignment message from the network, the wireless terminal sends the network a packet resource request. Page 10, lines 22-24. In the packet resource request, the wireless terminal may propose the mode of radio link control (RLC) in an RLC MODE field. Page 10, lines 26-34. For example, if the bit in the RLC MODE field is 1, it indicates that the wireless terminal proposes an unacknowledged RLC mode. *Id.* Accordingly, the network sets the unacknowledged RLC mode as proposed by the wireless terminal. Page 11, lines 11-12.

In Leppisaari, the RLC mode is proposed by the wireless terminal in the RLC MODE field. For example, if the bit in the RLC MODE field is 0, it indicates that the wireless terminal proposes an acknowledged RLC mode. Otherwise, if the bit in the RLC MODE field is 1, it indicates that the wireless terminal proposes an unacknowledged RLC mode. The network sets the RLC mode according to the proposal by the wireless terminal. Therefore, according to Leppisaari, in a transfer mode corresponding to the highest bit rates, the RLC mode could be either an acknowledged or an unacknowledged mode, depending on the value of the RLC MODE field. In contrast, claim 1 recites that a transfer mode corresponding to the highest bit rates, acknowledgment information is sent in the non-acknowledged mode from a radio link control receiver to a radio link control sender.

Furthermore, while acknowledged mode and unacknowledged mode are mentioned in Leppisaari, Applicant notes that in an unacknowledged mode, Leppisaari indicates

that data block retransmissions that cause a delay are not possible, and that it is preferable to use a technique of FEC (Forward Error Coding) for error correction. Page 9 lines 25-30. Thus, Leppisaari does not disclose or suggest using acknowledgement information in unacknowledged mode. Usually, in unacknowledged mode, acknowledgement information are not used, as such information is characteristic of acknowledged mode. Applicant submits that Leppisaari is also deficient in this regard with respect to the claimed invention.

In view of the foregoing, claim 1 should be patentable at least for the foregoing reasons. Claims 2, 4 and 6-9 should be patentable at least because of their dependency on claim 1.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hunzinger in view of Leppisaari and further in view of Puharinen (Advanced Topics in Telecommunications, hereinafter "Puharinen").

Claim 3 should be patentable at least because of its dependency from claim 1, and because Puharinen fails to cure the noted deficiencies of Hunzinger and Leppisaari with respect to claim 1.

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hunzinger in view of Leppisaari, and further in view of Balachandran *et al.* (US Patent 6,567,375 B2).

Claim 5 should be patentable at least because of its dependency from claim 1, and because Balachandran fails to cure the noted deficiencies of Hunzinger and Leppisaari with respect to claim 1.

II. Claim Rejections - 35 U.S.C. § 102

Claims 10-11 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Leppisaari.

With regard to claim 10, Leppisaari fails to teach or suggest each feature of the claim. For example, claim 10 describes a start sequence number (SSN) and a received block bitmap (RRB) in acknowledgement/non-acknowledgement (ACK/NACK) messages.

The Examiner relies upon the packet channel requests as allegedly disclosing the SSN and the RRB in ACK/NACK messages, as described in claim 10. Applicant respectfully disagrees.

The packet channel requests are requests between the wireless terminal and the network for allocation of real-time data transmission resources, such as allocation of channels. SSN and RRB in ACK/NACK messages help the transmitter to determine which block of data is received, with or without error. Packet channel requests, and SSN and RRB in ACK/NACK messages serve different functions. Therefore, packet channel requests in Leppisaari do not correspond to the SSN and RRB in ACK/NACK messages, as described in claim 10.

In view of the foregoing, claim 10 is patentable. Claim 11 is patentable because it includes features that are similar to those of claim 10.

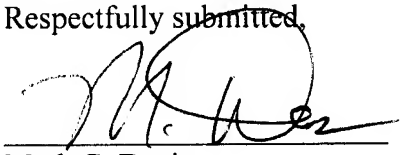
III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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